



CITY OF SUNNYVALE ADMINISTRATIVE HEARING

MINUTES

Wednesday, June 14, 2006

2006-0493 – Chan Kim [Applicant] **Ronnoco Properties Svale LP** [Owner]: Application for a Special Development Permit on a 3.3 acre site to allow the onsite sale and consumption of alcohol. The property is located at **1012 East El Camino Real** (near Henderson Ave.) in a C-2/PD (Highway Business/Planned Development) Zoning District. (APN: 313-03-012)

In attendance: Kevin Chan, Applicant; T. Satya, Neighbor; Gerri Caruso, Administrative Hearing Officer; Ryan Kuchenig, Project Planner; Luis Uribe, Staff Office Assistant.

Ms. Gerri Caruso, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Ms. Caruso announced the subject application.

Ryan Kuchenig, Project Planner, stated that the application is for a Special Development Permit to allow the sale and consumption of alcohol at an existing restaurant. At this time, the restaurant owner proposes beer and wine service in conjunction with the restaurant. No live entertainment is proposed with this application. Condition of Approval #1E requires a Special Development Permit if live entertainment is requested in the future. The approved hours of operation for the existing restaurant are 11am to 10pm. The applicant does not propose any expansion to the hours of operation. Mr. Kuchenig mentioned that if the applicant wanted to add a bar it would require a change in the parking conditions.

Ms. Caruso opened the public hearing.

Kevin Chan, Applicant, received and reviewed a copy of the staff report. The applicant stated that the main use of the building will be serving food. Ms. Caruso stated that there is no bar, couches or lounge type area.

T. Satya, Neighbor, stated that his main concern is with Peterson Middle School being so close to a restaurant that sold beer and wine. Mr. Satya was under the impression that this application referred to the shopping center as a whole. Ms. Caruso stated that the entire lot is 3.3 acres and that the application pertains to the restaurant and not the lot as a whole. Ms. Caruso stated that legally the city cannot require business signs to be written in English.

Mr. Kuchenig stated that he did receive a letter from another neighbor with the same concerns as Mr. Satya.

Ms. Caruso closed the public hearing.

Ms. Caruso approved the application subject to the Findings and Conditions of Approval located in the staff report with changes to the following condition: COA 1E. Any proposed live entertainment should require the review of a separate Special Development Permit.

Ms. Caruso stated that the decision is final unless appealed to the Planning Commission with payment of the appeal fee within the 15-day appeal period.

The meeting was adjourned at 3:20 p.m.

Minutes approved by:

Gerri Caruso, Principal Planner